

Program Guidance

California Adult Education Program

Funding source: AB104, Section 39, Article 9

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A. Introduction

California has the opportunity to re-envision and redesign the adult educational system. The California Department of Education and the California Community College Chancellor's Office are working together to establish linkages for students across their systems that provide adults with the academic and career skills needed to enhance student success. To this end, the legislature and Governor have put in place unprecedented indicators of California's commitment to improve adult education in the state.

The legislature has committed funds to regional consortia composed of K-12 districts, community college districts, County Offices of Education (COE), and joint power authorities (JPAs) to collaborate regionally for the purpose of expanding and improving adult education services by creating linkages between the educational systems. Regional collaboration provides capacity for consortia members to find common ground and cross-geographical and cultural boundaries in order to provide seamless transitions for students. In some areas of the state, there is a rich history of collaboration and a range of partnerships in place that have a regional perspective on policies and programs. Regional collaboration will manifest itself differently in each consortium. In some cases, it may involve a few partners and in others, many partners.

B. Assembly Bill 104 (AB104) Overview

On June 24, 2015, Governor Jerry Brown signed AB104 into law; the major education trailer bill that accompanied the state's 2015-16 state budget. This measure includes a section that defines the state's expectations for the new Adult Education Block Grant program.

This document provides a roadmap for understanding both, the provisions of AB104 and the initial expectations for the three-year implementation plan. AB104 includes a segment on the enactment of the Adult Education Block Grant that represents the actualization of the planning that began with the passage of Assembly Bill 86 in 2013. AB86 provided \$25 million to 70 consortia statewide to support the development of regional adult education consortium plans that focus on expanding and improving opportunities for education and workforce services for adults.

From July 1, 2013 - July 1, 2015, AB86 consortia, consisting of k-12 school districts, community college districts, and other partners developed regional education and workforce service plans for adults. AB86 also included the commitment from the state legislature to dedicate funding to adult education at the conclusion of the planning period, June 30, 2015.

The 2015-16 year represents the transition period from the planning that took place with AB86 to the actualization of the Adult Education Block Grant program, addressed in AB104. The state of California has dedicated \$500 million in ongoing support for this program, more than any other state in the nation.

Moving forward into the implementation phase of the CAEP funding, the Governor allocated \$500M (for each fiscal year) for 16-17, and 17-18. The language from the Governor's 17-18 budget states, "the Adult Education Block Grant Program coordinates representatives from local educational agencies, community colleges, and other regional education, workforce, and industry partners to promote the educational opportunities offered to students and adult learners. Through this program, students and adult learners can access courses to complete their high school diplomas or general education equivalent, English as a Second Language courses, and pathways courses that lead to additional career opportunities. The Budget includes \$500 million ongoing Proposition 98 General Fund to support the Adult Education Block Grant Program".

In 18-19, trailer bill language was added that stated, "the formerly named Adult Education Block Grant program was renamed the Adult Education Program". The official name is the California Adult Education Program (CAEP).

C. CAEP Funding

Annual CAEP funding is presented in January via the Governor's Budget. In 15-16, the base amount was \$500M, since then the CAEP has received COLAs in 18-19, and 19-20. The initial AB104 language that started the implementation of the CAEP is rather prescriptive. Hence, guidelines offer mostly context, interpretation and clarification of the legislation's directives, rather than new information. The regional consortia are made up of K-12 school districts, county offices of education (COE), community college districts, and joint power authorities (JPAs) encompassing all 58 California Counties to implement plans to better serve the educational needs of adults.

Title:	AB104, Section 39, Article 9, Adult Education Block Grant
Funding Source:	AB104, Section 39, Article 9
Funding Period:	July 1 through June 30 (11 installments)
Total Funds Available:	Currently \$538,564,000 in regional consortia allocations
Spending Period:	Funds have a 30-month life span. Current 17/18 funds must be spent between July 1, 2017, and December 31, 2019. 17/18 funds will be closed out on March 1, 2020.

Matching Funds	No match required
Number of	71 (regional consortia funding allocations based upon formula
Awards:	– with two regions combining).

The CAEP is established under the administration of the Chancellor of the California Community Colleges and the Superintendent of Public Instruction. The Chancellor and the Superintendent are the state officials responsible for identifying and understanding the educational needs of adults in the state.

D. CAEP Guidance

1. Adult Education Enrollment Age Requirements

The AB104 legislation specifically states that Adult Education Block Grant Program is to serve adults, and an adult is defined as "a person 18 years of age or older". See section 84901 (a) of the AB104 legislation.

84901. For purposes of this article, the following definitions shall apply, unless otherwise specified: (a) "Adult" means a person 18 years of age or older.

CAEP funding can only be used to serve adults as described in the AB104 legislation. If a district / member would like to serve students under 18 years of age, they are permitted to do so if the district/member uses another fund source that allows minors under the age of 18 years to be served, and the district/member follows existing education code pertaining to serving minors. Exceptions include on the K12 side for emancipated youth, and pregnant/parenting teens. CAEP members can also obtain local board approval for allowing students under 18 years of age to attend adult or noncredit classes on a case by case basis (but specific regulations and education code must be followed to grant approval). Contact your state representative for more details.

2. State Level Governance

AB104 legislation Section 84900. 84902 (a), establishes that the chancellor and the Superintendent are the state officials responsible for identifying and understanding the educational needs of adults in the state. (b) The chancellor and the Superintendent shall use the powers provided by this article to support the effective provision of services that address the educational needs of adults in all regions of the state. (c) In performing duties under this article, the chancellor and the

Superintendent shall seek advice from, and coordinate with, other state officials responsible for programs for adults.

3. State Level Requirements for Regional Consortia

Existing law establishes the CAEP, under the administration of the Chancellor of the California Community Colleges and the Superintendent of Public Instruction. Under this program, the chancellor and the Superintendent, with the advice of the Executive Director of the State Board of Education, are required to divide the state into adult education regions and approve one adult education consortium in each adult education region, as specified. Existing law requires the chancellor and the Superintendent, with the advice of the executive director, to approve, for each consortium, rules and procedures that adhere to prescribed conditions. Existing law also requires, as a condition for the receipt of an apportionment of funds from this program for a fiscal year, that members of a consortium approve an adult education plan, as specified.

Determining factors for regional consortia:

(1) Economic and demographic factors, including the locations of regional labor markets.

(2) The boundaries of regions used to distribute funds for other state programs.

(3) The presence of adult education providers that have demonstrated **effectiveness** in meeting the educational needs of adults.

4. State Level Requirements for Consortium Membership

The AB104 legislation states that any community college district, school district, or county office of education, or any joint powers authority consisting of community college districts, school districts, county offices of education, or a combination of these, located within the boundaries of the adult education region shall be a member of a consortium pursuant to this article if it receives funds from any of the following programs or allocations:

(a) The Adults in Correctional Facilities program.

(b) The federal Adult Education and Family Literacy Act (Title II of the federal Workforce Innovation and Opportunity Act).

(c) The federal Carl D. Perkins Career and Technical Education Act (Public Law 109-270).

(d) Local Control Funding Formula apportionments received for students who are 19 years of age or older.

(e) Community college apportionments received for providing instruction in courses in the areas listed in subdivision (a) of Section 84913.

(f) State funds for remedial education and job training services for participants in the CalWORKs program

Members in Multiple Consortia

If a school district, county offices of education, or any joint powers authority consisting of community college districts, school districts, county offices of education, or a combination of these, is located within the boundaries of *more than one* adult education regional consortium and it receives funds from any of the following programs or allocations (see above or 84916 (a-f)) than it can be a member of each consortium where the local district, county offices education, or joint powers authority is located. The member would have to follow each consortium's governance plan, by-laws, and abide by AB104 legislative member requirements (84905, 84906, 84914, 84916, 84917, and 84920). Consortium membership alone does not guarantee funding.

Members offering classes in another district within the Regional Consortium

Whenever the governing board of a school district, county offices of education, joint powers authority, or community college district that maintains an adult education program (for adults) is unable to maintain the program, school or classes within the district because of the lack of facilities, or its inability to secure a teacher or teachers, the board may with the approval of its respective governing bodies (County Superintendent, College District President, and State Agencies) maintain the school or classes of the district elsewhere than within the district or contract with the governing board of another district for the instruction of students in such a school or classes. (For K-12 districts, the governing bodies would be the county superintendent of schools and the State Superintendent of Public Instruction. For community college districts, it would be governing boards from the affected districts.)

5. Regional Consortia and Member Requirements

A regional consortia member must follow their consortium's governance plan, bylaws, and abide by AB104 legislative member requirements (84905, 84906, 84917, and 84920). Consortium membership alone does not guarantee funding.

List of Consortia and Member Requirements (from AB104 Legislation):

- 1. A member shall commit to reporting any funds available to that member for the purposes of education and workforce services for adults and the uses of those funds. (84905 (b)).
- 2. A member of the consortium shall be represented only by an official designated by the governing board of the member (84905 (c)).
- 3. As a condition for the receipt of an apportionment of funds from this program for a fiscal year, that members of a consortium approve an adult education plan *(the CAEP 3 year plan)* (84906 (a)).
- 4. The members of a consortium shall approve an adult education plan (the CAEP 3

year plan) at least once every three years. The plan shall be updated at least once each year based on available data.

- 5. All members of the consortium shall participate in any decision made by the consortium (84905 (d) (1) (a)).
- 6. A proposed decision is considered at an open, properly noticed public meeting of the consortium at which members of the public may comment (84905 (d) (1) (b).
- The consortium has provided the public with adequate notice of a proposed decision and considered any comments submitted by members of the public, and any comments submitted by members of the public have been distributed publicly (84905 (d) (1) (c).
- 8. The consortium has requested comments regarding a proposed decision from other entities located in the adult education region that provide education and workforce services for adults (84905 (d) (1) (d) (i)).
- 9. The consortium has considered and responded to any comments submitted by entities pursuant to clause (i) (84905 (d) (1) (d) (ii)) which includes entities that provide education and workforce services to adults include, but are not necessarily limited to, local public agencies, departments, and offices, particularly those with responsibility for local public safety and social services; workforce investment boards; libraries; and community-based organizations (84905 (d) (1) (d) (iii)).
- 10. The consortium has considered input provided by pupils, teachers employed by local educational agencies, community college faculty, principals, administrators, classified staff, and the local bargaining units of the school districts and community college districts before it makes a decision (84905 (d) (1) (e)).
- 11. A decision is final (84905 (d) (1) (f)) meaning a consortium decision cannot be held up because an official member failed to attend the meeting.
- 12. The members of the consortium may decide to designate a member to serve as the fund administrator to receive and distribute funds from the program. (84905 (d) (2) (e)). The members of the consortium also have the option of selecting direct funding which would result in the consortium not having a fund administrator. In that case, the consortium would decide how funds are certified internally.
- 13. As a condition of receipt of an apportionment from the program, a consortium shall approve a distribution schedule (*CFAD*) that includes both of the following:
 (1) The amount of funds to be distributed to each member of the consortium for that fiscal year. (2) A narrative (*the CAEP annual plan*) justifying how the planned allocations are consistent with the adult education plan. (84914 (a) (1) and (2)).
- 14. The chancellor and the Superintendent may require a consortium, as a condition of receipt of an apportionment, to submit any reports or data necessary to produce the report described in subdivision (84917 (b) (1) (a)).
- 15. The chancellor and the Superintendent shall identify common measures for determining the effectiveness of members of each consortium in meeting the educational needs of adults. See list of required data elements and effectiveness measures required to be collected, tracked, and reported by each consortium and their members (Section 40, 84920, (c)).
- 16. Consortia and their members must agree to adhere to the general assurances listed as part of the annual planning process. For the purposes of evaluating Consortia and Consortium Member effectiveness, the California Department of Education and California Community College Chancellor's Office establish annual

indicators of compliance. Failure to meet the requirements listed in the CAEP General Assurances Document may result in a determination of non-compliance and lead to partial or complete loss of Consortium and/or Member funding. (See annual plan general assurances).

6. Requirements for Reducing a Member's Funding (84914 (b))

For any fiscal year for which the chancellor and the Superintendent allocate an amount of funds to the consortium *greater than* the amount allocated in the prior fiscal year, the amount of funds to be distributed to a member of that consortium shall be equal to or greater than the amount distributed in the prior fiscal year, unless the consortium makes at least one of the following findings related to the member for which the distribution would be reduced:

- (A) The member no longer wishes to provide services consistent with the adult education plan.
- (B) The member cannot provide services that address the needs identified in the adult education plan.
- (C) The member has been consistently ineffective in providing services that address the needs identified in the adult education plan and reasonable interventions have not resulted in improvements.

For any year for which the chancellor and the Superintendent allocate an amount of funds to the consortium *less than* the amount allocated in the prior year, the amount of funds to be distributed to a member of that consortium shall not be reduced by a percentage greater than the percentage by which the total amount of funds allocated to the consortium decreased, unless the consortium makes at least one of the following findings related to the member for which the distribution would be reduced further:

(A) The member no longer wishes to provide services consistent with the adult education plan.

(B) The member cannot provide services that address the needs identified in the adult education plan.

(C) The member has been ineffective in providing services that address the needs identified in the adult education plan and reasonable interventions have not resulted in improvements.

For any fiscal year for which the chancellor and the Superintendent allocate an amount of funds to the consortium *that is the same* amount allocated in the prior fiscal year, the amount of funds to be distributed to a member of that consortium shall be equal to the amount distributed in the prior fiscal year, unless the consortium makes at least one of the following findings related to the member for which the distribution would be reduced:

- (A) The member no longer wishes to provide services consistent with the adult education plan.
- (B) The member cannot provide services that address the needs identified in the adult education plan.
- (C) The member has been consistently ineffective in providing services that address the needs identified in the adult education plan and reasonable interventions have not resulted in improvements.

Consortia can increase or decrease member allocations regardless of funding levels as long as there is unanimous agreement on the allocation change. If the consortium members cannot unanimously agree, then the consortium must follow AB104 legislation referenced in 84914 (b).

Members Leaving a Consortium

Consortia will follow their governance plan (#14 - How will members join, leave, or be dismissed from the consortium) and any additional language in their agreed upon bylaws regarding terminating membership. For new members, in addition to the governance plan, and by-laws, consortia will follow existing requirements in AB104 legislation (84905, 84906, 84914, 84916, 84917, and 84920).

7. Regional Consortia and Member Required Plans

Three-Year Plan (84906 (a) (b) (c) (d))

As a condition of receipt of an apportionment of funds from this program for a fiscal year, the members of a consortium shall have approved an adult education plan that addresses that fiscal year. The members of a consortium shall approve an adult education plan at least once every three years.

An adult education plan shall include all of the following:

- (1) An evaluation of the educational needs of adults in the region.
- (2) A list of the following:
 - (A) Entities that provide education and workforce services to adults in the region.

(B) Entities that are impacted by, or that have a fundamental interest in, the provision of those services.

(3) A description of the services provided by entities listed pursuant to (#2).

(4) An evaluation of current levels and types of education and workforce services for adults in the region.

(5) An evaluation of the funds available to the members of the consortium and the entities listed pursuant to (#2), including funds other than those apportioned (see list of fund sources for members under Section 4 of this document).

(6) Actions that the members of the consortium will take to address the educational

needs identified pursuant to (#1).

(7) Actions that the members of the consortium will take to improve the effectiveness of their services.

(8) Actions that the members of the consortium, the entities listed pursuant to (#2), and other interested parties will take to improve integration of services and to improve transitions into postsecondary education and the workforce, including actions related to all of the following:

(A) Placement of adults seeking education and workforce services into adult education programs.

(B) Alignment of academic standards and curricula for programs across entities that provide education and workforce services to adults.

(C) Qualifications of instructors, including common standards across entities that provide education and workforce services to adults.

(D) Collection and availability of data.

(9) A description of the alignment of adult education services supported by this program with those described in other education and workforce plans guiding services in the region, including plans pertaining to the building of career pathways and the employment of workforce sector strategies and those required pursuant to the federal Workforce Innovation and Opportunity Act (Public Law 113-128).

(10) A description of the ways in which each of the entities identified in (#2) contributed to the development of the plan.

Consortium Fiscal Administrative Declaration (CFAD) (84914 (a) (1))

As a condition of receipt of an apportionment from the program, a consortium shall approve a distribution schedule known as the Consortium Fiscal Administrative Declaration (*CFAD*) that includes the amount of funds to be distributed to each member of the consortium for that fiscal year.

Annual Plan Report (84914 (a) (2))

As a condition of receipt of an apportionment from the program, a consortium shall approve a narrative (the CAEP Annual Plan) justifying how the planned allocations are consistent with the adult education plan. The CAEP Annual Plan asks consortia to consider key accomplishments and challenges from the prior year, as well as outline goals and activities for following funding year. This require a review of the 3-year plan and if necessary, an update of the 3-year planning data to reflect the most current information.

Governance Plan Template (84905 (a to d))

The State requires that all consortia download, complete, and submit the Governance Plan template in order to comply with the following rules and procedures for their governance compliance. The chancellor and the Superintendent, with the advice of the executive director, shall approve, for each consortium, rules and procedures (Governance Plan Template). Consortia may add additional requirements via bylaws, and may update their governance plan template (and by-laws) throughout the year. The following is a list of items from AB104 legislation that are covered in the governance plan and should be referenced in consortium by-laws.

- Consortium membership
- Reporting any funds available to that member for the purposes of education and workforce services for adults and the uses of those funds.
- A member of the consortium shall be represented only by an official designated by the governing board of the member.
- Decision-making procedures are specified that ensure that all of the following conditions are satisfied (see 84905 (d) (1) (a-f).
- Any consortia and member requirements from section 5 of this document (Regional Consortia and Member Requirements).
- Any items listed in the Annual Plan General Assurances document for consortia and/or members.
- Reduction or loss of consortium funding by a member (84914 (b) (1) (a-c) and (b) (2) (a-c).
- Process for a consortium member to leave or terminate their membership.

Planning Amendment Submission Process

If a consortium wishes to amend any of the submitted documentation, you must take the following steps:

- Discuss at a properly noticed public meeting
- Obtain member input and public comment
- Involve all members in the final decision on the amendment
- Publish the minutes of the decision for public viewing
- Use the State system for updating/uploading amended documents

The window period for submitting amendments to the State is July 1 through May 15 of each program year.

Calendar of Required Plans Submittal

Year 1 **3-year plan** is submitted

Annual Processing (during the program year)

- January Governor's Budget is submitted
- February CAEP preliminary allocations are released
- March **CFAD** is open for input of member allocations
- May **CFAD** is due
- May **Amendments** are due

July	Budget is enacted
July	CAEP final allocations are released
August	Annual Plan is due
August	CAEP funds are disbursed per the allocation schedule

8. CAEP Program Areas (84913)

Funds apportioned for the CAEP program shall be used only for support of the following:

(1) Programs in elementary and secondary basic skills, including programs leading to a high school diploma or high school equivalency certificate.

(2) Programs for immigrants eligible for educational services in citizenship, English as a second language, and workforce preparation.

(3) Programs for adults, including, but not limited to, older adults, that are primarily related to entry or reentry into the workforce.

(4) Programs for adults, including, but not limited to, older adults, that are primarily designed to develop knowledge and skills to assist elementary and secondary school children to succeed academically in school.

(5) Programs for adults with disabilities.

(6) Programs in career technical education that are short term in nature and have high employment potential.

(7) Programs offering pre-apprenticeship training activities conducted in coordination with one or more apprenticeship programs approved by the Division of Apprenticeship Standards for the occupation and geographic area.

Note: CAEP funds can be used to support adult education students that are transitioning from courses in the program areas above into workforce and/or post-secondary (transfer level coursework).

Use of Funds in non-CAEP Program Areas

Funds apportioned for the CAEP program shall be used only for support of CAEP program areas as described in this section. If a consortia or member would like to offer programs outside of the CAEP defined program areas, it may do so with another fund source (if it is allowed by that fund source). Existing education code list (see below) has many adult education program areas; however, using CAEP funds is restricted to the seven areas listed in this section.

9. Course Approval Process

All courses in the seven CAEP program areas must be approved using the existing state agency and local governing board course approval process.

There are no exceptions, as all CAEP members must use their respective course approval process. In addition, teachers/faculty for CAEP funded courses must meet appropriate credentialing / minimum qualifications.

Please see the appropriate education code and regulations that govern your system's course approval process.

K-12/COE

A course of study in each adult school is subject to the approval of the CDE (EC 51056). The State Superintendent of Public Instruction shall establish course approval criteria and procedures for securing course and program approvals (EC 52506). For course approval all adult schools are required annually to submit to the CDE a list of titles of classes to be offered in the authorized program areas. The CDE's approval of the list is required; authorized apportionment course titles are listed in the Adult Education Course Approval System (A-22).

The governing board of every school district shall prepare and keep on file for public inspection the courses of study prescribed for the schools under its jurisdiction (EC 51040). Any revised educational program shall conform to the legal requirements (EC 51041). The governing board of every school district shall evaluate its educational program and shall make revisions, as it deems necessary (EC 51041). Classes for adults shall conform to any course of study and graduation requirements otherwise imposed by law or under the authority of law (EC 52504). A course of study for each adult school shall be prepared under the direction of the governing board of the district maintaining the adult school and shall be subject to approval of the CDE (EC 51056).

Community Colleges

The local curriculum committee approves all noncredit courses and programs. The local curriculum committee conducting the review has been established by the mutual agreement of the college and/or district administration and the academic senate. The committee is either a committee of the academic senate or a committee that includes faculty and is otherwise comprised in a way that is mutually agreeable to the college and/or district administration and academic senate. All courses shall be submitted to the Chancellor's Office on forms provided by the Chancellor's Office. A clear description of the course must be published in the general catalog and/or addenda to the catalog and in the college's schedule.

Education code referenced: Title 5 55002(c)(1)&(2), 55002(a)(1), 55100, 58102, and 58104.

10. State Reporting Requirements

84917. (a) To inform actions taken by the Governor and the Legislature related to adult education, the chancellor and the Superintendent shall submit to the Director of

Finance, to the State Board of Education, and, in conformity with Section 9795 of the Government Code, to the Legislature, by September 30 October 30 following any fiscal year for which funds are appropriated for the program, a report about the use of these funds and outcomes for adults statewide and in each adult education region. The report shall include at least all of the following:

(1) A summary of the adult education plan operative for each consortium.

- (2) The distribution schedule for each consortium.
- (3) The types and levels of services provided by each consortium.

(4) The effectiveness of each consortium in meeting the educational needs of adults in its respective region.

(5) Any recommendations related to delivery of education and workforce services for adults, including recommendations related to improved alignment of state programs.

(b) (2) The chancellor and the Superintendent shall align the data used to produce the report described in subdivision (a) with data reported by local educational agencies for other purposes, such as data used for purposes of the federal Workforce Opportunity and Innovation Act (Public Law 113-128). (3) The Employment Development Department and the California Workforce Investment Board shall provide any assistance needed to align delivery of services across state and regional workforce, education, and job service programs.

The chancellor and the Superintendent shall provide preliminary reports on or before **October 30** following each fiscal year for which funds are appropriated for the program and final reports on or before **February 1** of the following year. Each report shall be based on all data available at the time of its submission.

11. Consortia and Member Data and Accountability Reporting Requirements

SEC. 40. Section 84920 (c) The chancellor and the Superintendent shall identify, no later than January 1, 2016, the measures for assessing the effectiveness of consortia that will be used in the report that, pursuant to Section 84917, is to be submitted by September 30, 2016. These measures shall include, but not necessarily be limited to, all of the following:

(1) How many adults are served by members of the consortium.

(2) How many adults served by members of the consortium have demonstrated the following:

- (A) Improved literacy skills.
- (B) Completion of high school diplomas or their recognized equivalents.
- (C) Completion of postsecondary certificates, degrees, or training programs.
- (D) Placement into jobs.
- (E) Improved wages.
- (F) Transition to Post-Secondary (added by the State)

The chancellor and the Superintendent shall provide any guidance to the consortia necessary to support the sharing of data included in systems established by consortia pursuant to this section across consortia.

EC 78402 (b) The department and the chancellor's office, as a part of the report and recommendations required pursuant to paragraph (1) of subdivision (f) of Section 84830, shall jointly develop and issue policy recommendations to the Legislature regarding a comprehensive accountability system for adult education courses offered pursuant to Section 84830 and paragraphs (2) to (6), inclusive, of subdivision (a) of Section 84757. The department and the chancellor's office shall develop recommendations for all adult education-funded providers for assessment, evaluation, and data collection to document participant outcomes and placement, and other performance measures they deem appropriate. Accountability measures may include receipt of a secondary school diploma or its recognized equivalent, placement in a postsecondary educational institution, training, and employment. All funded programs shall be required to annually submit demographic and other student-level outcome information to the department or the chancellor's office, as appropriate.

Note: For recent reporting changes for the current program year, please see the Beginning of the Year Letter.

CAEP Fiscal Guidance and Allowable Activities – see separate guidance document.